

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ROVIO ENTERTAINMENT, LTD.

Plaintiff,

v.

AM WHOLESALE, INC., et al.

Defendant.

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CIVIL ACTION NO. 3:13-cv-04719-G

DECLARATION OF RALPH RICHARD JR

I, Ralph Richard, Jr. hereby declare as follows:

1. I am an undercover investigator. I am an employee of Investigation Services Company LLC (“ISC”), a fully licensed investigative and security firm located at 2636 Meadowbrook Drive, Fort Worth, Texas 76103. I make and submit this affirmation in connection with Plaintiffs’ motion for default judgment against Defendant Manuel Sandoval d/b/a Mannny’s Place (“Sandoval” or “Defendant”).
2. I am over eighteen (18) years of age. I have never been convicted of a felony or any criminal offense involving moral turpitude, and I am fully competent to testify to the matters stated herein. I have personal knowledge of every statement made in this Declaration and such statements are true and correct.
3. On May 20, 2013, I entered a business called Manny’s Place, located at 812 East Amarillo Boulevard in Amarillo, Texas.
4. I noted large quantities of counterfeit trademarked merchandise being offered for sale, and conducted a purchase of one (1) Coach trademarked hip-bag for \$40.00, for a total of \$43.40 with tax. The purchase was made using a credit card, and the provided receipt identified the business name as Manny’s Place.

5. During the undercover purchase, the male subject, later identified as Manuel Sandoval, acknowledged the item was counterfeit. The item was later confirmed by a Coach representative to be counterfeit.
6. On the same date, I contacted the Amarillo Police Department (“APD”) in an attempt to move forward criminally against the business, Manny’s Place. APD agreed to move forward criminally the following day against Manny’s Place.
7. On May 21, 2013, I proceeded with APD officers to the business, Manny’s Place, at 812 East Amarillo Boulevard, to assist in the police action.
8. Upon arrival at approximately 11:00 a.m., police officers entered the business, secured the location and detained the owner, who was identified as Manuel Sandoval. The subject consented to the search of the business, and I then entered to assist in the photographing, identifying, inventorying, and boxing of items to be seized.
9. The seizure concluded at approximately 2:00 p.m. All seized trademarked items including, but not limited to: Abercrombie & Fitch, Angry Birds, Bebe, Chanel, Coach, Louis Vuitton, Monster Energy, New Era, Nike, Oakley, Polo Ralph Lauren, etc.; were then transported to the APD, and the subject, Manuel Sandoval, was released on site, to be filed on at-large for Trademark Counterfeiting.
10. I then proceeded to the APD to conduct a finalized inventory of the trademarked merchandise seized from the business, Manny’s Place.
11. Following the finalized inventory, I exited APD at approximately 3:00 p.m.
12. I returned to the ISC offices, where investigators completed an affidavit booklet, as well as all necessary reports.

13. When questioned as to the supplier of the counterfeit trademarked merchandise, the subject, Manuel Sandoval, advised that he purchased some items from the Internet and some items from a show in Las Vegas; however, no useable information was provided.

14. I have been trained to identify counterfeit ANGRY BIRDS products.

15. Attached as **Exhibit 1** are images taken of the three (3) types of counterfeit ANGRY BIRDS products (i.e., 3 Lanyards, 6 T-Shirts, and 6 Pillows) that APD seized from Manny's Place. The items were properly entered and remain as evidence with APD.

16. A copy of my confidential report on this matter is available upon request of the Court.

I declare under the penalty of perjury that to the best of my knowledge the foregoing is true and correct.

Dated: 6-5-2014

By: Ralph E. Richard Jr.

Ralph Richard Jr.